

AMENDED IN ASSEMBLY APRIL 10, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

**ASSEMBLY BILL**

**No. 614**

**Introduced by Assembly Member Chávez**  
**(Coauthor: Assembly Member Atkins)**

February 20, 2013

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An act to amend Section ~~1012~~ 1012.1 of the Military and Veterans Code, relating to veterans.

LEGISLATIVE COUNSEL'S DIGEST

AB 614, as amended, Chávez. Veterans' homes of California: ~~priority admission.~~ *financial investigation.*

*Existing law provides for the establishment and operation of the Veterans' Home of California at various sites for aged and disabled veterans who meet certain eligibility requirements. Existing law authorizes, prior to the admission of a veteran as a member of the home, and at any time during which the veteran is a member, the Department of Veterans Affairs to investigate the veteran's financial status to ensure that the veteran is unable to pay for the necessary hospital or domiciliary care outside of the home, as provided.*

*This bill would instead, prior to the admission of a veteran as a member of the home, require the department to investigate the veteran's financial status to ensure that the veteran is unable to pay for the necessary hospital or domiciliary care outside of the home. This bill would authorize the department to promulgate and maintain regulations.*

~~Existing law establishes a Veterans' Home of California at specified sites for aged and disabled veterans who served in the United States Armed Forces. Existing law requires veterans who served during a time of war to be given priority admission over those who served in a time~~

of peace, and requires highest priority to be given to Medal of Honor recipients and former prisoners of war.

This bill would instead require, on and after January 1, 2014, priority admission to be given first to Medal of Honor recipients and former prisoners of war, then to veterans whose financial status makes them unable to pay for necessary hospital or domiciliary care, and then to veterans who served during a time of war.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 1012.1 of the Military and Veterans Code  
2     is amended to read:

3     1012.1. (a) Prior to the admission of a veteran as a member  
4     of the home, and at any time during which a veteran is a member  
5     of the home, the department ~~may~~ shall investigate the veterans'  
6     veteran's financial status to ~~insure~~ ensure that the veteran is unable  
7     to pay for necessary hospital or domiciliary care outside of the  
8     home. ~~The department may contract with any other state agency~~  
9     to conduct such an investigation in its behalf.

10    (b) The department may at any time during which a veteran is  
11    a member of the home investigate the veteran's financial status to  
12    ensure that the veteran is unable to pay for necessary hospital or  
13    domiciliary care outside of the home.

14    (c) The department may contract with any other state agency  
15    to conduct any investigation on its behalf.

16    (d) The department may promulgate regulations to implement  
17    this section.

18    SECTION 1. ~~Section 1012 of the Military and Veterans Code~~  
19    is amended to read:

20    1012. (a) Except as provided in Section 1012.4, the home is  
21    for aged and disabled persons who served in the Armed Forces of  
22    the United States of America who were discharged or released  
23    from active duty under honorable conditions from service, who  
24    are eligible for hospitalization or domiciliary care in a veterans'  
25    facility in accordance with the rules and regulations of the United  
26    States Department of Veterans Affairs, and who are bona fide  
27    residents of this state at the time of application; and for the spouses

1 of these persons if all of the following conditions, as are applicable,  
2 are satisfied:

3 (1) ~~Space is available.~~

4 (2) ~~Joint residency will be in the best interests of the home~~  
5 ~~member, as determined by the administrator.~~

6 (3) ~~The spouse is a bona fide resident of this state at the time~~  
7 ~~of application for admission to the home and either is married to,~~  
8 ~~and has resided with, the home member for at least one year, or is~~  
9 ~~the widow or widower of a recipient of the Medal of Honor or a~~  
10 ~~former prisoner of war (POW).~~

11 (4) ~~The home member and spouse agree to pay the fees and~~  
12 ~~charges for joint residency, or for a widow or widower, for the~~  
13 ~~residency, that the administrator may establish.~~

14 (b) (1) ~~Veterans who qualify for benefits under this chapter due~~  
15 ~~to service during a time of war shall be given priority over veterans~~  
16 ~~who qualify due to service during a time of peace.~~

17 (2) ~~Veterans who qualify for benefits under this chapter who~~  
18 ~~are recipients of the Medal of Honor or who were prisoners of war~~  
19 ~~(POWs) shall be given priority over all other qualified veterans,~~  
20 ~~regardless of the level of care required.~~

21 (3) ~~This subdivision shall apply to veterans admitted to the home~~  
22 ~~prior to January 1, 2014.~~

23 (e) (1) ~~Priority admission shall be given to veterans who qualify~~  
24 ~~for benefits under this chapter in the following order:~~

25 (A) ~~First, to veterans who are recipients of the Medal of Honor~~  
26 ~~or who were POWs.~~

27 (B) ~~Second, to veterans whose financial status makes them~~  
28 ~~unable to pay for necessary hospital or domiciliary care.~~

29 (C) ~~Third, to veterans who served during a time of war.~~

30 (2) ~~This subdivision shall apply to veterans admitted to the home~~  
31 ~~on and after January 1, 2014.~~

32 (d) ~~A resident spouse may continue residence after the veteran's~~  
33 ~~death.~~

34 (e) ~~The property of the home shall be used for this purpose.~~